

16-11-8 Officer, director, or shareholder shall be licensed professional -- Nonlicensed person as secretary or treasurer.

- (1)
- (a) Except as provided in Subsection (1)(b), a person may not be an officer, director, or shareholder of a professional corporation unless that person is:
 - (i) an individual licensed to render the same specific professional services as those for which the corporation is organized; or
 - (ii) qualified to be an officer, director, or shareholder under the applicable licensing act for the profession for which the corporation is organized.
 - (b) Notwithstanding Subsection (1)(a), a nonlicensed person may serve as secretary or treasurer of the professional corporation.
- (2) For purposes of Subsection (1), professional services are considered the same specific professional services as those for which the corporation is organized if:
- (a) the corporation is organized to provide services described in:
 - (i) Title 58, Chapter 67, Utah Medical Practice Act; or
 - (ii) Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; and
 - (b) the officer, director, or shareholder is licensed under either of the chapters listed in Subsection (2)(a).

Amended by Chapter 378, 2010 General Session